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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,234	12/11/2001	Dongge Li	US 010607	3125

24737 7590 01/06/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

EXAMINER

BAUTISTA, XIOMARA L

ART UNIT PAPER NUMBER

2179

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/014,234

Applicant(s)

LI ET AL

Examiner

X L. Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 and 34-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 34-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed October 3, 2005 have been fully considered but they are not persuasive.

Applicant argues that Chen does not teach a knowledge base that is separate from criteria. However, Chen discloses the system has a Profile System that controls selection of information (criteria) and an Information Processor that will process received information to identify what is of interest to the user (knowledge base) and which includes a plurality of known relationships (col. 3, lines 39-58).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-6, 8-10, 13, 14, 16-19, 22-24, 27, 29 and 34-36 are rejected under 35 U.S.C. 102(b) as being anticipated by *Chen et al* (EP 0952737 A2).**

Claims 1, 6, 23 and 29:

Chen discloses a profile system for identifying, selecting and retrieving information regarding targeted persons or information of interest to a user. The

system has a profile subsystem (memory, user preferences) having processors to process content of information segments and to produce identifiers associated with the content, the segments being part of an information stream broadcast to a television output. The system is connected to an external source; it analyzes, receives and provides information selected specifically (preferences, criteria) for the user (abstract; col. 3, lines 13-38). The content is retrieved according to a plurality of profile items and a plurality of known relationships (col. 3, lines 39-57; col. 4, lines 1-7, 56-58; col. 5, lines 1-17). According to criteria the system searches the content to identify a plurality of targeted information and a targeted person (col. 3, lines 54-57; col. 11, lines 1-31; col. 12, lines 30-38). Chen teaches that the produced information can be different than/or unrelated to that displayed on the television (col. 3, lines 20-30, 54-57). Chen teaches that the video segments are processed by several methods including, using image processing to identify a searchable person, thing, action, or event; the information processor generates identifiers which are used by the Profile Subsystem to control selection of information streams (knowledge base; known relationships; abstract; col. 3, lines 39-58; col. 4, lines 1-7, 56-58; col. 5, lines 1-17).

Chen teaches a knowledge base (Information Processor) and criteria (Profile Sybsystem, preferences) for controlling selection of information of interest to the user (the knowledge base is separate from the criteria). The information Processor

uses a plurality of relationships (speech, image/person, other identifiers) to process the information and identify what is of interest to the user (col. 3, lines 39-58; col. 4, lines 1-7, 56-58; col. 5, lines 1-17).

Claims 2 and 5:

Chen teaches a user profile having information about interests of a user of the system (abstract; col. 3, lines 13-58; col. 4, lines 1-7, 43-55; col. 5, lines 22-27, 36-39, 57-58; col. 6, lines 1-18; col. 11, lines 1-58; col. 12, lines 1-58).

Claim 3:

Chen teaches that the system integrates existing information (profile) with user requested (search) information (col. 5, lines 24-27; col. 12, lines 30-57; col. 15, lines 13-26).

Claim 4:

See claim 3. Chen teaches an input device for permitting the user to input information into the profile or transmit a request (col. 10, lines 26-56).

Claim 8:

Chen teaches that the system can map a voice to a person (abstract; col. 3, lines 45-57; col. 12, lines 33-46).

Claim 9:

See claims 1 and 8. Chen teaches mapping of a known voice to other related information (profile), (abstract; col. 3, lines 39-57; col. 12, lines 30-58).

Claim 10:

Chen teaches mapping of a known name to occupation (col. 11, lines 21-31).

Claim 13:

See claim 1. Chen teaches the content is a video signal (abstract; col. 3, lines 20-58).

Claim 14:

See claim 1. Chen teaches cable television (col. 2, lines 19-22; figs. 2-6; col. 4, lines 30-55).

Claim 16:

Chen teaches the content is graphical and textual data (abstract; col. 3, lines 13-58; col. 4, lines 1-7, 56-58; col. 5, lines 1-5; col. 6, lines 51-56).

Claim 17:

Chen teaches that the information streams are audio, video, data, graphic, still image, animation streams (computer-generated videos), broadcast over a television network (fig. 2; col. 4, lines 1-7, 56-58; col. 5, lines 1-5; col. 6, lines 51-56; col. 15, lines 13-14).

Claim 18:

Chen teaches the system includes a database (fig. 4; col. 12, lines 30-57).

Claims 19 and 27:

See claims 1, 14 and 17. Chen teaches a system connected to a plurality of

sources (figs. 2, 3).

Claim 22:

Chen teaches an interactive system. Chen teaches a television companion device 120 (TCD) that presents individual, customized information to viewers (col. 3, lines 20-38; col. 4, lines 37-55). TCDs enable users to select streams (col. 5, lines 18-56).

Claim 24:

Chen teaches that a menu may be displayed for the viewer for enabling selection of a stream (col. 7, lines 34-58; col. 10, lines 26-44). Chen teaches the user may use the menu pointer to select a URL displayed on the TV screen or the TCD screen (col. 15, lines 13-26).

Claim 34:

See claims 1 and 17. Chen teaches a system accessible to a plurality of users and information sources via a communications network (fig. 2; col. 4, lines 1-7, 56-58; col. 5, lines 1-5; col. 6, lines 51-56; col. 15, lines 13-14).

Claims 35 and 36:

See claim 19. Chen teaches searching and selecting information from multiple channels (col. 5, lines 24-29; col. 6, lines 1-15, 44-55; col. 7, lines 5-9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 7, 20, 21, 28, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* and *Basu et al* (US 6,594,629 B1).**

Claim 7:

Chen teaches an image processor that can be used to identify a person (col. 11, lines 1-5); it may map a person to a name (col. 11, lines 22-30; col. 12, lines 34-38). Chen does not teach that one type of known relationships is a map of a known face to a name. However, Basu discloses a method for audio-visual speech detection and recognition in content video. Basu teaches that the system can locate and track a face to determine relevant visual information (abstract; col. 5, lines 7-28; col. 7, lines 3-5, 59-64; col. 8, lines 3-9, 46-50). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify Chen's method for identifying information to include Basu's method for locating and tracking a face because user's are enabled to receive only content that is of his interest, including specific persons such as movies with a specific actor or a specific

sport with a specific athlete.

Claims 20, 21, 28, and 30:

See claims 1, 7 and 8. Chen teaches extracting images, speech, and text from the content animation streams (computer-generated videos), broadcast over a television network (fig. 2; col. 4, lines 1-7, 56-58; col. 5, lines 1-5; col. 6, lines 51-56). Basu teaches recognition of faces. Basu teaches calculating a probability that the extracted visual and audio information matches the content the user desires (col. 2, lines 59-67; col. 3, lines 1-7; col. 6, lines 4-48; col. 13, lines 36-63).

Claim 31:

Chen teaches (one of a map of a name/occupation, map of a name/family relationship, and a map of an actor's name/role) mapping of a known name to occupation (col. 11, lines 21-31).

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* and *Notargiacomo et al* (US 2003/0014422 A1).

Claim 11:

Chen does not teach mapping of a known name to a family relationship. However, Notargiacomo discloses a method for building and/or accessing a family tree. Notargiacomo teaches a system that enables users to search and scan the database for relevant information. The system obtains specified data about a

person, compares and matches the obtained data for establishing family connection (abstract; p. 1, pp. 0002-0007; p. 2, pp. 0019). Thus, it would have been obvious to one having ordinary skill in the art at the time of invention to modify Chen's invention to include Notargiacomo's method of mapping a known name to a relative or family relationship because users are enabled to search a wide variety of servers for information and obtain accurate data by providing specific information such as names and relationships.

7. **Claims 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* and *Errico* (US 2003/0061610 A1).**

Claim 12:

Chen does not teach mapping an actor name to a role. However, Errico discloses a system for managing audiovisual information and selecting desirable audiovisual content for a user. Errico teaches a program profile that defines distinctive characteristics of the content of the program, such as actors, stars, director, event profile, character profile, categories, etc. The program profiles facilitate filtering and searching of audio and video information (abstract; p. 3, pp. 0088-0093). Errico teaches a description scheme that enables users to view interesting programs they may be unaware of by providing a user description scheme. The scheme provides information to a software agent that in turn performs

a search and filtering on behalf of the user. For example the presentation of the information may be changed based on the content (character's name and role), (p. 4, pp. 0093-0096).

Claim 15:

Chen teaches selecting and accessing different portions of an information stream from a digital television but does not specifically teaches the external source is a satellite television. However, Errico teaches that the program may originate at any suitable source such as satellite television, broadcast television, cable television, Internet broadcast, etc. (p. 5, pp. 0101). Thus, it would have been obvious to a person having ordinary skill in the art at the time of invention to connect Chen's system to a satellite television provider because it provides crystal clear reception; it broadcast virtually every television channel on the planet; and the user is provided with more choices such as the company he wants to subscribe and what package of channels to buy.

8. **Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen and Hoffberg et al* (US 2002/0151992 A1).**

Claim 25:

Chen does not teach displaying links to a shopping web site. However, Hoffberg discloses an adaptive interface for predicting a desired user function based

on user history, machine internal status and context (abstract; p. 1, pp. 0007).

Hoffberg teaches that the system allows a dynamic user preference profile determination based on explicit or implicit desires to make decisions, which conform to the user preference (p. 38, pp. 0850). Hoffberg also teaches that the system correlates user preferences with electronic shopping information to create a customized database for the user (p. 38, pp. 0856; p. 39, pp. 0857). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to include Hoffberg teaching of displaying links to a shopping web site to the user because users receive optimized information about products he may have real interest in buying.

Claim 26:

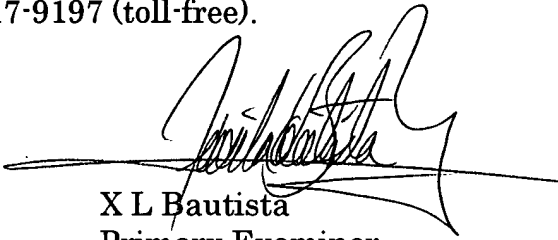
See claim 25. Chen does not teach a server that returns clues usable in determining identifying a targeted person. However, Hoffberg teaches that many types of media streams, a number of clues are available defining the content, including image information, etc. (p. 34, pp. 0820). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to include Hoffberg's teaching of clues in Chen's invention for determining identity of a targeted person because the clues may be used to provide additional information about the extracted content to facilitate scanning of the information.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Matthews and Stautner disclose a system that retrieves information from different sources according to criteria (col. 7, lines 43-67; col. 8, lines 1-20; col. 9, lines 56-67; col. 10, lines 1-13, 36-49; col. 11, lines 34-50); Murakawa discloses a system for automatically compiling a database containing facial images for people searches, the images stored in a face dictionary (col. 2, lines 47-67; col. 3, lines 1-32); and Herz discloses a system for identification of desirable objects using associations (col. 6, lines 16-27, 45-56), search profiles (col. 7, lines 1-17), target profiles (col. 10, lines 37-48), attributes (col. 11, lines 1-65, col. 15, lines 1-3; col. 31, lines 42-58), etc., (col. 33, lines 1-10, 60-67; col. 34, lines 6-20, 33-36, 47-67; col. 35, lines 1-40; col. 47, lines 62-66; col. 48, lines 1-14).
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X L Bautista
Primary Examiner
Art Unit 2179

xlb
January 4, 2006